

REMARKS/ARGUMENTS

The Examiner has objected to the abstract "because the title should be deleted on top of the abstract". Correction is enclosed.

The Examiner has rejected claims 1-4, 6-8, 10, 12 and 13 under 35 U.S.C. 103(a) as being unpatentable over Kubler et al. (U.S. Pat. Pub. US 20040264442A1). The Kubler et al publication contains common specification with U.S. patents 6,389,010 filed March 10, 1998, and 5,726,984 filed October 5, 1995.

The Examiner states "As per claim 1, teaches a method for automatically sending situational location dependent delivery information from a server to a receiving system (see fig. 45), said method comprising the steps of: registering said receiving system over an internet connection with said server for eligibility to receive said delivery information at said receiving system [sections 0292 and 0300]; automatically requesting said server, by said receiving system over an internet connection to said server [section 0300], to search for said delivery information with a situational location of said receiving system, said situational location automatically determined at said receiving system [sections 0353 and 0354]; automatically determining by said server that said receiving system is eligible to receive said delivery information [section 0359], particularly (As this process takes place, a report can also be generated via a peripheral or premises LAN printer at the destination dock for receipt signature. Similarly, the peripheral LAN modem on the destination dock can relay the delivery information back to the host computer)); automatically retrieving from a deliverable content database by said server said delivery information according to said situational location [sections 0359 and 0434, particularly, gather additional information needed and from the inventory information, the inventory computer 4511 generates purchase orders for subsequent delivery, automating the entire process], which implies the system contains a content database; and automatically sending said delivery information from said server to said receiving system over an internet connection [see abstract and section 0107]".

Applicant's amended claim 1 language "situational location" includes actual location data that can be used to identify a real physical location of the receiving system.

“Situational location” data itself is enough to physically locate a receiving device by the data’s own description. Global Positioning System (GPS) coordinates, for example latitude and longitude, provide real physical location data of a receiving system. Kubler et al disclose descriptions such as “into the vicinity of” [0125], “in the vicinity of” [0346,0352], “in its vicinity” [0300], “the vicinity of” [0348], “moving within range” [0066], “out of range” [0067,0111,0123,0353,0358,0360,0365,0485], “out of radio range” [0066], “within the range” [0120], “within range” [0066,0243,0361,0365,0436,0553,0556], “at a range” [0375], “radio range” [0475], “into the range” [0123], “coverage range” [0220], “in range” [0312,0359,0556], “into range” [0312], “operating range” [0325], “into range of” [0354,0371], “outside the range” [0392,0394], “within a premises” [0026], “premises” [0066,0067,0108,...], and many other instances of “premises”. Kubler et al do not disclose an actual physical location of a receiving system except to say it is in range of communications. Kubler et al do not disclose communication of physical location coordinates between systems, in particular for searching of, and delivering, information.

Kubler et al also discloses language of “delivery information” [0359,0433,0434] as information associated with the delivery of goods involving a delivery truck, and accounting of those deliveries. Applicant’s claim 1 language “delivery information” is not directed specifically to deliveries of goods made by a delivery truck. The unnecessary ambiguous use of “delivery” has been removed from the amended claims.

A receiving system of Applicant’s amended claim 1 determines its own situational location and iteratively sends requests to the server in the background without involving a user through a user interface. This is accomplished with system event management. “System event management 1006 provides an interface to system event processing relevant to the present invention that is not directly caused by a user” [Pg 25, lines 1-2; section 0089].

Claim 1 language has been amended. Dependent claims 2-4, 6-8, 10, 12 and 13 have been amended according to amended claim 1.

The Examiner has allowed claims 14-20. New dependent claims 21-56 are respectfully submitted, and are each dependent on an allowed claim.

The Examiner has objected to claims 5, 9 and 11 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims". Claims 5, 9 and 11 have been appropriately amended. New claims 57-59 are respectfully submitted for original claims 5, 9 and 11, each depending from amended claims.

New dependent claims 60-67 are respectfully submitted, and are each dependent on the amended claims.

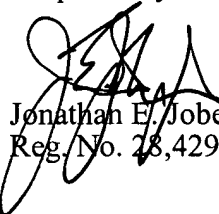
New claim 68 and its dependent claims 69-85 are respectfully submitted. Kubler et al do not disclose automated functionality involving a receiving system according to Applicant's new claims for determining a candidate delivery event of a receiving system, upon coming into range of communications, for using a situational location of the receiving system to search for information from a deliverable content database, and then instantly sending information found to that receiving system and presenting the information to the user interface of that receiving system. Kubler et al do suggest delivery of information and coordination of that information among systems connected to a premises, but not in terms of claim 68.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,


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